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August 27, 2025

The Honorable Marsha S. Berzon
The Honorable Stephen A. Higginson
The Honorable Jennifer Sung
United States Court of Appeals for the Ninth Circuit
125 South Grand Avenue
Pasadena, CA 91105

Re: No. 25-286, InSinkErator, LLC v. Joneca Company, LLC, et al.

Dear Judges Berzon, Higginson, and Sung:

During oral argument on Friday, I made an analogy between garbage disposers and blenders and stated (at 3:15 of the video recording) that “blenders are sold based on an input number, an input wattage.” Judge Higginson asked for record support, and I replied that I would provide the excerpt. Following argument, on closer review, I realized that I was recalling information that was not part of the appellate record. The record excerpt I had in mind makes the blender analogy but does not state that blenders are marketed to consumers based on an input wattage. *See* 2-ER-083 (McCormick Decl. para. 44) (noting that the UL standard for blenders, like the UL standard for garbage disposers, calls for measuring input current). I regret my error and hope that this clarifies the record.

Sincerely,

A handwritten signature in blue ink that reads "Trenton H. Norris".

Trenton H. Norris
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cc: All counsel of record